

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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GISELLE FRITZ, on behalf of herself and  
all others similarly situated, et al.,

Plaintiffs,

**ORDER**

11-CV-3300 (FB) (PK)

-against-

RESURGENT CAPITAL SERVICES, LP,  
et al.,

Defendants.

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**BLOCK, Senior District Judge:**

After reviewing the plaintiffs' unopposed written submissions, the Court preliminarily approves of the class action settlement. The proposed settlement appears to be the product of serious, informed, non-collusive negotiation, has no obvious deficiencies, does not improperly grant preferential treatment to class representatives or segments of the class and falls within the range of possible approval. *See In re NASDAQ Market-Makers Antitrust Litig.*, 176 F.R.D. 99, 102 (S.D.N.Y. 1997).

Additionally, the Court grants certification for settlement purposes of the proposed class and subclasses because the elements necessary for class certification are present, namely numerosity, commonality, and typicality. FRCP 23(a). Further, pursuant to FRCP 23(b)(2)(B) and (3), proceeding as a class action is superior to other methods of adjudication.

The proposed notice to class members by mailing notice to each class member's last known address satisfies Rule 23(c)(2)(B). *See generally Eisen v. Carlisle & Jacquelin*, 417 U.S. 156 (1974).

The Court finds that Ahmad Keshavarz, Charles M. Delbaum, and Matthew Schedler satisfy Rule 23(g) and are appointed class counsel.

Class counsel shall mail individual notices to all class members by June 15, 2016. Class members shall be permitted to object in writing to class counsel within 30 days after receiving the notice but no later than August 1, 2016. A fairness hearing for final approval of the settlement is scheduled for September 9, 2016, at 11:00 A.M.

**SO ORDERED.**

/s/ Frederic Block  
FREDERIC BLOCK  
Senior United States District Judge

Brooklyn, New York  
June 1, 2016